



CANNON BUILDING
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STATE OF DELAWARE
DEPARTMENT OF STATE

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DIVISION OF PROFESSIONAL REGULATION

PUBLIC MEETING NOTICE:	BOARD OF NURSING Meeting Minutes
DATE AND TIME:	Wednesday, March 14, 2012 at 9:00 a.m.
PLACE:	Cannon Building, Second Floor Conference Room A 861 Silver Lake Blvd., Dover, DE 19904
Minutes Approved:	April 11, 2012

MEMBERS PRESENT

Evelyn Nicholson, President, Public Member
Robert Contino, RN, Vice President, Nurse Educator Member (left at 1:00 p.m.)
Dianne Halpern, RN Member
Pamela Tyranski, RN Member
Lyron Deputy, RN Member
Harland Sanders, Public Member
Madelyn Nellius, Public Member
Karen Murphy, LPN Member (left at 12:00 p.m.)
Delphos Price, APN Member
Gwelliam Hines, RN Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Patty Davis-Oliva, Deputy Attorney General
Pamela Zickafoose, Executive Director
Sandra Wagner, Administrative Specialist III

MEMBERS ABSENT

Robert Maddex, Public Member
Kathy Bradley, LPN Member
David Salati, RN Member
Mary Lomax, Public Member
Tracy Littleton, LPN Member

ALSO PRESENT

Tammy Paxton, DTCC-Owens Campus
Connie Bushey, M.H. Rollins School of Nursing at Beebe Medical Center
Barbara Robinson, Leads School
Margaret-Rose Agostino, DSU
Joann Baker, DTCC-Terry Campus
Pat Welsh, DTCC-Stanton Campus
Stephanie Evans-Mitchell

Rachel Joseph
Suzanne Raab-Long
Patresa Karschner
Caitlin Owens
Erin Millman
Kim Brasure
Laura Davis
Sage Witkoski
Lisa Smith

Ms. Nicholson called the meeting to order at 9:03 a.m. The Board introduced themselves to the public.

Ms. Nicholson stated "We are deeply saddened by the death of Dr. Barbara Peterson. Dr. Peterson was a former member, Vice President, and President of the Delaware Board of Nursing. At the National level, she formerly served on the NCSBN-NCLEX Committee, and she was currently serving on this Board's Practice and Education Committee. Dr. Peterson's last term on the Delaware Board of Nursing ended in May 2011. Over the years, Dr. Peterson made a huge contribution to this Board. Her professionalism and her dedication are worthy of great respect and admiration. We are indebted to her for her years of service to this Board and to the citizens of Delaware. Our sympathy goes out to her family, her colleagues, and her friends. She will be missed by all."

Mr. Price asked for the members of the Board and the Public to give a moment of silence for Dr. Barbara Peterson.

Ms. Nicholson introduced and welcomed Ms. Gwelliam Hines as a new RN professional member of the Board. Other Board members introduced themselves to Ms. Hines and the audience.

REVIEW OF MINUTES

The Board reviewed the minutes of the meeting held on February 8, 2012. Mr. Sanders made a motion, seconded by Ms. Tyranski, to approve the minutes. The motion carried with Mr. Price, Dr. Contino, Ms. Murphy and Ms. Hines abstaining.

ADOPTION OF THE AGENDA

Mr. Price made a motion, seconded by Mr. Deputy, to adopt the agenda. By unanimous vote, the motion carried.

ACTIVITIES REPORT

Dr. Zickafoose provided the report of the number and types of active licenses as of March 14, 2012.

Total Active Licenses = 18,407
APN = 1,141
RN = 14,664
LPN = 2,602

UNFINISHED BUSINESS

There was no unfinished business before the Board for March.

COMMITTEE REPORTS

APN Committee – Mr. Price shared the Executive Summary from the APN Survey and two handouts from the National Council of State Boards of Nursing. He stated Mr. McKennett compared the NCSBN Model Rules with Section 8 Rules which were submitted to Patty Davis-Oliva for a legal opinion. The committee plans to hold Town Hall meetings at hospitals and in each county to provide the same

education to all APNs, nurses and interested parties. The NCSBN short version of the Consensus Model was viewed by Board members. Dr. Contino questioned the DNP being a requirement for certification. Mr. Price replied that AANA is requiring the degree by 2020 but schools would need to prepare their graduates to meet the certification exam requirements. Dr. Zickafoose added the Model Rules state a "graduate degree" is required and do not specify which degree. Mr. Price summarized by stating the Consensus Model would allow nurses to practice to their full scope, eliminate collaborative agreements, and require a national certification exam for licensure. He would like to have the changes in place in the next two years. Dr. Zickafoose reminded Board members physicians could still have a collaborative agreement as part of their organizational policy; it would not be required by statute.

Rules and Regulations Committee – Mr. Deputy reported that there will be a Rules and Regulations Hearing at the April 11, 2012 Board Meeting.

AWSAM Committee - Ms. Tyranski reported the committee met on February 22, 2012 and it is making progress. They reviewed Section 5 of the Rules and Regulations and a nice chart that compiled the statutes and populations affected by AWSAM. The committee decided they need two different programs- AWSAM and medication aides- to meet the needs of all respective entities. They plan to review and revise the AWSAM curriculum, streamline a process to train the trainers and develop a database of instructors and DCPs, and implement parameters for recredentialing of DCPs. The term "AWSAM" is obsolete because this is not what is happening in practice and healthcare has changed over the years. A new term "Limited Lay Administration of Medications- LLAM" was selected to replace AWSAM.

PRESIDENT'S REPORT

Ms. Nicholson wanted the Board to know that she has been busy responding to emails and telephone calls from the Board's counsel, the Executive Director, and the Administrative Specialist. In addition she was busy proof-reading Consent Agreements, Recommendations of Hearing Officers, Final Board Orders, and making suggestions for word changes, along with proof-reading Board meeting minutes. She said that in other words there has been nothing new this month, it all falls under the heading of "Business as Usual."

Ms. Nicholson stated that Ms. Davis-Oliva, Dr. Pamela Zickafoose, Sandra Wagner and she work extremely well together as a team. Ms. Nicholson greatly appreciates everything the members of the team do for the Board and for her.

EXECUTIVE DIRECTOR'S REPORT

Dr. Zickafoose reported she returned from the NCSBN Midyear meeting last night. One issue being addressed by NCSBN is a call for national licensure by Senators Udall and Thompson; however the NCSBN supports state licensure instead. Another topic discussed was discipline related to social media and nurses sharing confidential information or photos on Facebook, etc. A new brochure was distributed to board members titled "a Nurse's Guide to the Use of Social Media." Copies will also be distributed at nursing schools when Dr. Zickafoose meets with students. At the Division office, staff will no longer print and mail copies of NCLEX results to candidates and schools. Instead, the information will be emailed which will save resources in postage, paper, envelopes and staff time. Nursing schools were sent an email notifying them of this change.

Mr. Price added he will be going to the APRN Roundtable on April 25, 2012 and he thanked the board and NCSBN for their support to attend educational offerings.

NEW BUSINESS BEFORE THE BOARD

LICENSEE APPLICATION REVIEWS

By Examination

Tiffany Hodgdon, GN – Ms. Hodgdon is a GN applicant who graduated from Excelsior College on February 17, 2012. Ms. Hodgdon's CBC shows a conviction for disorderly conduct on July 2, 2000. She answered question #19 correctly. Her letter of explanation, disposition papers, and two positive letters of reference were reviewed and discussed. Mr. Price made a motion, seconded by Ms. Halpern, to grant a waiver to Ms. Hodgdon to sit for the NCLEX exam. By unanimous vote, the motion carried.

Taryn Davis, GPN – Ms. Davis is a GPN applicant who graduated from DTCC, Owens Campus on December 10, 2011. Ms. Davis's CBC shows a conviction of offensive touching on June 10, 1997 and conspiracy, third degree on November 23, 1993. Ms. Davis answered question #19 correctly. Disposition paperwork was submitted along with a letter of explanation and three positive reference letters. Prior to the vote board members shared their concerns about a nurse with a criminal background such as this one caring for their loved ones. Ms. Halpern questioned what a hearing would accomplish as the documents submitted sounded remorseful. Mr. Sanders commented the crimes indicated she does not relate to authority. Other members discussed whether she had matured and changed since her convictions and Mr. Price reminded members their job was to protect the public. Mr. Sanders made a motion, seconded by Ms. Nellius, to propose to deny granting a license to Ms. Davis on the basis of the substantially related crimes on her CBC. By unanimous vote, the motion carried. Members agreed they had a good debate and this discussion was worthwhile.

By Endorsement

Pamela Colson, RN – Ms. Colson graduated in 1978 from a school in MS. Ms. Colson's CBC shows a conviction for criminal conspiracy on August 26, 1992. Ms. Colson answered question #21 correctly but the date differs from the CBC. In addition she answered "yes" to question #23 saying she has been addicted to opiates but has been in recovery for 8 years and has been clean. She included a Board order from South Carolina showing her license was reinstated. Disposition paperwork and case details were submitted along with a letter of explanation and four positive reference letters. Mr. Price made a motion, seconded by Ms. Nellius, to grant licensure to Ms. Colson by endorsement. By unanimous vote, the motion carried.

Rebecca Popiolek, RN – Ms. Popiolek has not practiced for the past 7 years. Her employment was from 2001 to 2005 at Jefferson Hospital after which she stayed home and cared for four children, one who is autistic. Ms. Popiolek's explanation to question #20 (practice hours) says she has active licenses in PA and NJ. She was recently accepted into the University of Pennsylvania MSN program which requires her to have a DE license for potential clinical rotations. Board members questioned if there were any other means for her to be licensed other than a refresher course or supervised practice plan. Ms. Davis-Oliva advised the board of the statutory requirements under 24 Del. C. § 1910(6) and 24 Del. C. § 1912(b). Mr. Price made a motion, seconded by Ms. Hines, to have the Executive Director send a letter to Ms. Popiolek explaining that she will need to take a refresher course or have a supervised practice plan. Upon completion of a refresher course or a supervised practice plan, licensure by endorsement can be granted. By unanimous vote, the motion passed.

Dianne Pederson, RN – Ms. Pederson graduated in 2007 from a school in Missouri and her CBC shows a conviction of burglary in 1976. Ms. Pederson's letter of explanation says it was expunged but she had no documentation to verify this. Ms. Pederson submitted a court disposition paper that said there are no records from 1975-1976 related to the conviction and she submitted two positive reference letters. Dr. Contino made a motion, seconded by Mr. Deputy, to grant licensure to Ms. Pederson by endorsement. By unanimous vote, the motion passed.

By Reinstatement

Israel Abate, RN - Ms. Abate's DE RN license expired on September 30, 2009. She does have current RN and APN licenses in PA. Ms. Abate does not meet the practice requirement, having cared for her father and children since 2005. She is taking a refresher course but the course will not finish until June. In the meantime Ms. Abate has been offered a Nurse Practitioner position at Abby Family Medical Practice in Newark, DE. Dr. Zickafoose explained to Ms. Abate that she must have a valid RN license and cannot work as a NP until she is duly licensed. The letter from Abby Family Medical Practice says the position they are hiring Ms. Abate for is a NP position. Ms. Abate is requesting a supervised practice plan to reinstate her DE RN license. The Board was not comfortable with the letter from Abby Family Medical Practice stating the position was for a NP and that two physicians signed the letter indicating they would be in charge of completing the supervised practice plan with Ms. Abate. In addition, they questioned whether Abby Family Practice was a skilled nursing facility which is required for a supervised practice plan. Ms. Halpern made a motion, seconded by Mr. Price, to have the Executive Director send a letter to advise Ms. Abate explaining that she would need a supervised practice plan working as an RN in a skilled nursing facility, or wait until her refresher course is completed. By unanimous vote, the motion passed.

Kathleen Wood, LPN - Ms. Wood was licensed in DE in June of 2009 and has not worked as a LPN. Ms. Wood states it was her intention to go back to school for her RN but has not been able to do so due to financial reasons. Ms. Wood needs her LPN license to go on the waiting list at DTCC Owens for the LPN to RN program. Ms. Wood will need a refresher course or supervised practice plan to reinstate her license due to no work history and not meeting the practice hour requirement. Ms. Tyranski made a motion, seconded by Dr. Contino, to have the Executive Director send a letter to advise Ms. Wood she would need to complete either a supervised practice plan or a refresher course. By unanimous vote, the motion passed.

Eliza Farrow, RN - Ms. Farrow was licensed in DE in 1973. Ms. Farrow's license lapsed February 28, 2011. Prior to this Ms. Farrow taught at Delaware State University and the University of Delaware. Ms. Farrow explained to Dr. Zickafoose that she needed surgery and was unable to renew at that time. Most recently Ms. Farrow taught at Camtech. Ms. Farrow does not meet the practice hour requirement. Board members reviewed documentation submitted by Ms. Farrow for course preparation time and teaching. They agreed she is outside of two years and would therefore need 1000 hours to meet the practice requirement and the hours submitted did not suffice. Mr. Price made a motion, seconded by Mr. Deputy, to have the Executive Director send a letter to advise Ms. Farrow that she would need either a supervised practice plan or a refresher course. By unanimous vote, the motion passed.

Advanced Practice Nurse

None.

Renewal

John Vanhoy, LPN - Mr. Vanhoy was first licensed on December 10, 2009 but was unable to get a job. Mr. Vanhoy recently acquired a position at Sussex Correctional Institute (SCI) and had worked 102.9 hours before his license expired on Feb 29, 2012. This was not enough hours of practice to meet the requirement for re-licensure at the end of February. A letter was submitted by SCI agreeing to supervise his practice and Mr. Vanhoy requested approval of a supervised practice plan and a temporary permit to complete the 240 hours of supervision. Mr. Price made a motion, seconded by Mr. Deputy, to approve Mr. Vanhoy's supervised practice plan. By unanimous vote, the motion passed.

ASSIGNMENTS/ASSIGNED BOARD CONTACT PERSON

Ms. Murphy made a motion, seconded by Ms. Hines, to ratify the following complaint assignments given to the respective Board contact person. By unanimous vote, the motion passed.

11-13-12 Bradley	11-17-12 Price	11-23-12 Nellius
11-14-12 Bradley	11-18-12 Maddex	
11-15-12 Deputy	11-21-12 Lomax	
11-16-12 Littleton	11-22-12 Price	

CLOSED COMPLAINTS

Closed complaints do not need a vote; they are for information only to get into the record.

Dismissed by the Attorney General's Office

11-49-11	11-97-11	11-64-11	11-74-09
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Closed Investigations by the Division of Professional Regulation

11-07-11	11-10-11	11-79-10
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HEARINGS/CONSENT AGREEMENTS – RATIFICATION & SIGNATURE

Consent Agreement(s)

Adam Czerwinski, RN - Ms. Nicholson requested changes to page 1, paragraph 3, line 3 to correct the word “mediation” as it should read “medication.” On page 3 item number 8 the words “agree that” are repeated so one set needs to be removed. On page 5 paragraph 16 the word “suspension” needs to be removed from line 4 as it was not mentioned previously on page 3 which only says “probation.” On page 7 paragraph 28 line 1 the word “is” needs to be corrected to say “if.” After corrections were made, Ms. Davis-Oliva summarized the terms of the consent agreement. Mr. Price made a motion, seconded by Ms. Halpern, to accept and approve the consent agreement. By unanimous vote, the motion carried.

The Board took recess from 10:46 a.m. to 11:00 a.m. At 11:00 a.m. the board conducted a hearing which lasted until 11:17 a.m.

HEARING PANEL FINDINGS/DECISIONS/ORDERS

Hearing Officer Recommendations

Brigette Grey, RN - Board members reviewed the recommendation from the Hearing Officer. Ms. Nicholson pointed out on page 2 line 1 the same discrepancy as last month with the word “renewal” which needed to be changed to “reinstated” because the rules are different for renewal versus reinstatement and these are two different processes. Ms. Nicholson asked that on page 12 item #3 be corrected to include the term “reinstatement” and that none of the 6 hours shall be counted toward the 30 hours needed for relicensure. In addition she pointed out the words “next biennial period” should be removed as this person has no biennial period because the license has lapsed. Ms. Davis-Oliva summarized the hearing officer recommendation stating the licensee failed to pay student loans in Illinois which is not a compact state and Kansas disciplined her because she did not disclose the discipline in Illinois. Virginia also imposed discipline based on the other states’ disciplinary actions. Mr. Sanders made a motion, seconded by Ms. Murphy, to accept and approve the recommendations of the Hearing Officer. By unanimous vote, the motion carried.

Christina Fox, RN - Board members reviewed the recommendation from the Hearing Officer. Ms. Nicholson pointed out on page 10 item #5 does not state the 6 hours of CE are in addition to those required for license renewal. Ms. Davis-Oliva reviewed the hearing officer recommendation for a six

month suspension followed by 2 years probation. The applicant filed a letter of exception requesting the Board to not suspend her license and to extend the probationary period as she would lose her job at Governor Bacon if suspended. After substantial discussion of substance use disorders and relapse rates, Mr. Price made a motion to amend the sanctions to a 5 year suspension-stayed with probation for 5 years and if the VTO agreement is breached her license would be automatically suspended, additional provisions were added after successful VTO completion. The motion was seconded by Ms. Tyranski to accept the revised sanctions. With Ms. Nellius recusing, the remaining members voted unanimously to approve the motion.

HEARINGS

The hearing minutes for Proposed to Deny Hearings are below.

DISCIPLINARY HEARING

The hearing minutes to remove suspension and probation from licensees are below. The Emergency Suspension hearing is below as well.

LEGISLATIVE UPDATE

Ms. Patty Davis-Oliva stated DPR is working on an unlicensed practice bill that will change the way the Division issues cease and desist orders in order to streamline the process. The Board of Nursing has the Chaperone Treatment of Minors Bill in the hopper. There is a new bill purposed to clean up SB 18 of last year to reflect the new compensation maximum for board members that will also affect this Board. Ms. Davis-Oliva also submitted to DPR a bill that would empower the Board to deny renewal to licensees with criminal convictions and/or substance use issues since the time of their last renewal, but it was not accepted. Those renewal applicants will have to continue to be renewed and referred for discipline.

REVIEW OF COMPLIANCE

None

PRACTICE WITHOUT LICENSURE REVIEWS (February)

There was no practice without licensure for February.

PRACTICE ISSUES

None

EDUCATIONAL ISSUES

Brain Injury Association of DE

Dr. Zickafoose recommended the approval of the Brain Injury Association of Delaware as an approved CE Provider. The application was complete minus a bibliography for one presentation. Dr. Contino made a motion, seconded by Mr. Deputy, to accept the Continuing Education Application of the Brain Injury Association of Delaware pending submission of required documentation. By unanimous vote, the motion passed.

University of Delaware Director Appointed

Dr. Zickafoose informed the Board that Kathleen Schell has been officially appointed as the Director of the School of Nursing in the College of Health Sciences at the University of Delaware.

Ms. Nicholson asked if there was any public comment from the students in the audience and there was none.

The Board took a break from 12:10 p.m. to 1:00 p.m. for lunch. Hearings resumed at 1:00 p.m. until 2:52 p. m.

LICENSURE ISSUES

There were no licensure issues for March.

NCSBN

Dr. Zickafoose inquired whether anyone would like to run for a NCSBN position. She provided Leadership Succession Committee brochures advising of the open positions in NCSBN to interested members.

LICENSEE RATIFICATION

Mr. Price made a motion, seconded by Mr. Deputy, to ratify the licensee list. By unanimous vote, the motion carried.

PUBLIC COMMENT

There was no public comment.

NEXT SCHEDULED MEETING

April 11, 2012 - 9:00 a.m.

861 Silver Lake Blvd., Cannon Building, Conference Room A, Dover, DE 19904.

ADJOURNMENT

The meeting adjourned at 2:54 p.m.

Respectfully Submitted,

A handwritten signature in black ink that reads "Pamela C. Zickafoose". The signature is written in a cursive, flowing style.

Pamela C. Zickafoose, EdD, MSN, RN, NE-BC, CNE
Executive Director
Delaware Board of Nursing

HEARING MINUTES

HEARING – Lisa Smith

The Delaware Board of Nursing held a hearing on March 14, 2012, at 11:00 a.m. in the Second Floor Conference Room A, Cannon Building, 861 Silver Lake Blvd., Suite 203, Dover, Delaware.

PRESENT: Evelyn Nicholson, Dianne Halpern, Harland Sanders, Madelyn Nellius, Lyron Deputy, Pamela Tyranski, Robert Contino, Karen Murphy, Delphos Price and Gwelliam Hines

RECUSED:

EXCUSED: Robert Maddex, Kathy Bradley, Tracy Littleton, David Salati, and Mary Lomax

PURPOSE: Proposed to Deny

PRESIDING: Evelyn Nicholson, President

BOARD STAFF: Pamela Zickafoose, Executive Director of Nursing and Sandra Wagner, Administrative Specialist III

DEPUTY ATTORNEY GENERAL FOR THE BOARD: Patricia Davis-Oliva, DAG

DEPUTY ATTORNEY GENERAL FOR THE STATE: N/A

RESPONDENT: Lisa Smith

COUNSEL FOR THE RESPONDENT: None.

WITNESSES FOR THE STATE:

WITNESSES FOR THE RESPONDENT:

COURT REPORTER PRESENT: Vincent Bailey, Wilcox and Fetzer

TIME STARTED: 11:00 a.m.

The court reporter took verbatim testimony. The Board members introduced themselves. Ms. Davis-Oliva described the reason for the hearing and confirmed Ms. Smith was present for the hearing. Ms. Davis-Oliva entered documents into the record as Board Exhibit 1. Ms. Smith gave a statement into the record, and was questioned by the Board. The Board went off the record at 11:11 a.m. for deliberations. The Board went back on the record at 11:17 a.m. Mr. Price made a motion, seconded by Mr. Deputy, to grant Ms. Smith a waiver to sit for the NCLEX exam. By unanimous vote, the motion carried. The hearing concluded at 11:18 p.m.

HEARING MINUTES

HEARING – Rebecca Adeleke

The Delaware Board of Nursing held a hearing on March 14, 2012, at 1:00 p.m. in the Second Floor Conference Room A, Cannon Building, 861 Silver Lake Blvd., Suite 203, Dover, Delaware.

PRESENT: Evelyn Nicholson, Dianne Halpern, Harland Sanders, Madelyn Nellius, Lyron Deputy, Pamela Tyranski, Delphos Price, and Gwelliam Hines

RECUSED:

EXCUSED: Robert Maddex, Kathy Bradley, Tracy Littleton, David Salati, Karen Murphy, Robert Contino, and Mary Lomax

PURPOSE: Lift Probation

PRESIDING: Evelyn Nicholson, President

BOARD STAFF: Pamela Zickafoose, Executive Director of Nursing and Sandra Wagner, Administrative Specialist III

DEPUTY ATTORNEY GENERAL FOR THE BOARD: Patricia Davis-Oliva, DAG

DEPUTY ATTORNEY GENERAL FOR THE STATE: N/A.

RESPONDENT: Rebecca Adeleke

COUNSEL FOR THE RESPONDENT: None.

WITNESSES FOR THE STATE:

WITNESSES FOR THE RESPONDENT:

COURT REPORTER PRESENT: Vincent Bailey, Wilcox and Fetzer

TIME STARTED: 1:00 p.m.

The court reporter took verbatim testimony. The Board members introduced themselves. Ms. Davis-Oliva described the reason for the hearing and confirmed Ms. Adeleke was present for the hearing. Ms. Davis-Oliva entered documents into the record as Board Exhibit 1. Ms. Adeleke gave a statement into the record and was questioned by the Board. The Board went off the record at 1:22 p.m. for deliberations. The Board went back on the record at 1:23 p.m. Mr. Sanders made a motion, seconded by Ms. Nellius, to reinstate Ms. Adeleke's license without probation. By unanimous vote, the motion carried. The hearing concluded at 1:48 p.m.

HEARING MINUTES

HEARING – Kimberly Girten

The Delaware Board of Nursing held a hearing on March 14, 2012, at 1:30 p.m. in the Second Floor Conference Room A, Cannon Building, 861 Silver Lake Blvd., Suite 203, Dover, Delaware.

PRESENT: Evelyn Nicholson, Dianne Halpern, Harland Sanders, Madelyn Nellius, Lyron Deputy, Pamela Tyranski, Delphos Price, and Gwelliam Hines

RECUSED:

EXCUSED: Robert Maddex, Kathy Bradley, Tracy Littleton, David Salati, Karen Murphy, Robert Contino, and Mary Lomax

PURPOSE: Lift Suspension

PRESIDING: Evelyn Nicholson, President

BOARD STAFF: Pamela Zickafoose, Executive Director of Nursing and Sandra Wagner, Administrative Specialist III

DEPUTY ATTORNEY GENERAL FOR THE BOARD: Patricia Davis-Oliva, DAG

DEPUTY ATTORNEY GENERAL FOR THE STATE: N/A.

RESPONDENT: Kimberly Girten

COUNSEL FOR THE RESPONDENT: None.

WITNESSES FOR THE STATE:

WITNESSES FOR THE RESPONDENT:

COURT REPORTER PRESENT: Vincent Bailey, Wilcox and Fetzer

TIME STARTED: 1:30 p.m.

The court reporter took verbatim testimony. The Board members introduced themselves. Ms. Davis-Oliva described the reason for the hearing and confirmed Ms. Girten was present for the hearing. Ms. Davis-Oliva entered documents into the record as Board Exhibit 1. Ms. Girten gave a statement into the record and was questioned by the Board. Ms. Girten entered documents into the record as Girten Exhibit 1. The Board went off the record at 1:47 p.m. for deliberations. The Board went back on the record at 2:00 p.m. Ms. Nellius made a motion, seconded by Ms. Tyranski, to lift the suspension of Ms. Girtin's license with original conditions, three years of probation and added quarterly drug screenings. By unanimous vote, the motion carried. The hearing concluded at 2:01 p.m.

HEARING MINUTES

HEARING – Theodore Strowhouer

The Delaware Board of Nursing held a hearing on March 14, 2012, at 2:07 p.m. in the Second Floor Conference Room A, Cannon Building, 861 Silver Lake Blvd., Suite 203, Dover, Delaware.

PRESENT: Evelyn Nicholson, Dianne Halpern, Harland Sanders, Madelyn Nellius, Lyron Deputy, Pamela Tyranski, Delphos Price, and Gwelliam Hines

RECUSED:

EXCUSED: Robert Maddex, Kathy Bradley, Tracy Littleton, David Salati, Karen Murphy, Robert Contino, and Mary Lomax

PURPOSE: Proposed to Deny

PRESIDING: Evelyn Nicholson, President

BOARD STAFF: Pamela Zickafoose, Executive Director of Nursing and Sandra Wagner, Administrative Specialist III

DEPUTY ATTORNEY GENERAL FOR THE BOARD: Patricia Davis-Oliva, DAG

DEPUTY ATTORNEY GENERAL FOR THE STATE: N/A.

RESPONDENT: Theodore Strowhouer

COUNSEL FOR THE RESPONDENT: None.

WITNESSES FOR THE STATE:

WITNESSES FOR THE RESPONDENT:

COURT REPORTER PRESENT: Vincent Bailey, Wilcox and Fetzer

TIME STARTED: 2:07 p.m.

The court reporter took verbatim testimony. The Board members introduced themselves. Ms. Davis-Oliva described the reason for the hearing and confirmed Mr. Strowhouer was present for the hearing. Ms. Davis-Oliva entered documents into the record as Board Exhibit 1. Mr. Strowhouer gave a statement into the record and was questioned by the Board. The Board went off the record at 2:32 p.m. for deliberations. The Board went back on the record at 2:46 p.m. and at this time Mr. Strowhouer asked if he could approach the Board. Mr. Strowhouer asked for approval to withdraw his application from the Delaware Board of Nursing at this time.. The Board took no action on Mr. Strowhouer's application as it was withdrawn by the applicant prior to any action being voted on. The hearing concluded at 2:30 p.m.

EMERGENCY HEARING MINUTES

HEARING – Heather Rybicki

The Delaware Board of Nursing held a hearing on March 14, 2012, at 2:50 p.m. in the Second Floor Conference Room A, Cannon Building, 861 Silver Lake Blvd., Suite 203, Dover, Delaware.

PRESENT: Evelyn Nicholson, Dianne Halpern, Harland Sanders, Madelyn Nellius, Lyron Deputy, Pamela Tyranski, Delphos Price, and Gwelliam Hines

RECUSED:

EXCUSED: Robert Maddex, Kathy Bradley, Tracy Littleton, David Salati, Karen Murphy, Robert Contino, and Mary Lomax

PURPOSE: Emergency Hearing

PRESIDING: Evelyn Nicholson, President

BOARD STAFF: Pamela Zickafoose, Executive Director of Nursing and Sandra Wagner, Administrative Specialist III

DEPUTY ATTORNEY GENERAL FOR THE BOARD: Patricia Davis-Oliva, DAG

DEPUTY ATTORNEY GENERAL FOR THE STATE: None present.

RESPONDENT: Heather Rybicki

COUNSEL FOR THE RESPONDENT: None present.

WITNESSES FOR THE STATE:

WITNESSES FOR THE RESPONDENT:

COURT REPORTER PRESENT:

TIME STARTED: 2:50 p.m.

The court reporter took verbatim testimony. The Board members introduced themselves. Ms. Davis-Oliva described the reason for the hearing and confirmed Ms. Rybicki was not present for the hearing. The Board went off the record at 2:51 p.m. for deliberations. The Board went back on the record at 2:52 p.m. Mr. Sanders made a motion, seconded by Ms. Nellius, to suspend the license of Ms. Rybicki on an emergency temporary basis pending a full hearing on the merits of the complaint. By unanimous vote, the motion carried. The hearing concluded at 2:53 p.m.